

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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HEATHER HORN,

Plaintiff,

v.

LIFE INSURANCE COMPANY OF  
NORTH AMERICA,

Defendant.

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Civil Action No. 5:14-cv-3699

**ORDER**

**AND NOW**, this 20th day of July, 2015, upon consideration of the parties' cross-motions for summary judgment, ECF Nos. 21 and 24, and for the reasons set forth in the Memorandum issued this date, **IT IS HEREBY ORDERED** as follows:

1. Plaintiff Heather Horn's Motion for Summary Judgment, ECF No. 21, is **GRANTED** in part and **DENIED** in part.
  - a. The parties are directed to confer as to the amount of judgment due for the initial twenty-four month period of Plaintiff's eligibility for benefits. Within twenty-one days of this order, Plaintiff shall either submit a proposed Judgment Order setting forth the agreed upon amount or, in the event the parties cannot agree, shall file a motion for judgment and Defendant may file a response within fourteen days of the date that motion is filed.

- b. If Plaintiff desires to submit a petition for fees and costs, she shall do so within forty-five days of this Order. Defendant shall file a response within fourteen days of the date the petition is filed.
2. Defendant Life Insurance Company of North America's Motion for Summary Judgment, ECF No. 24, is **DENIED**.
3. The case is **REMANDED** to Defendant to determine Plaintiff's eligibility for disability benefits after the initial twenty-four month period.
4. In light of the disposition of this case, the nonjury trial previously scheduled for August 10, 2015, is **CANCELLED**.

**BY THE COURT:**

/s/ Joseph F. Leeson, Jr.

**JOSEPH F. LEESON, JR.**  
**United States District Judge**